IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION.

WRIT PETITION NO.9003 OF 2004

Smt. Balkish Banu d/o Abdul Saraiaya.. Petitioner

Vs

1. Smt. Khorshed Ardeshir Patel,

and ors. .. Respondents

Mr A.H.Palekar i/b M/s S.A.Ashwinkumar, for the petitioner.

Ms Priya Ranade i/b M/s Markhande Gandhi & Co., for respondent no.2.

CORAM : D.B.BHOSALE,J.

DATE : 3rd November,2004

PC:

1. Heard the learned counsel for the parties.

2. The learned counsel appearing for the parties have agreed for the following order.

(i) The learned Advocates appearing for the parties in the City Civil Court will appear before that Court on the next date of hearing. The City Civil Court to decide the objection raised by the defendants regarding examination of the Power of Attorney. If the objection raised by the defendants is sustained, the City Civil

Court will grant 15 days time only to the petitioner to either rectify the defect in the Power of Attorney or examine the plaintiff, failing which it is open for the learned Judge to pass appropriate orders in the proceedings.

(ii) The writ petition is, accordingly, disposed of.

. An authenticated copy of this order may be made available to the parties.

(D.B.BHOSALE, J.)